

**Commonwealth of Massachusetts
Board of Public Accountancy**

June 18, 2015
1000 Washington Street, Room 1D
Boston, MA 02118

Board Members Present:

Regina D. Hunter, CPA, *Chairwoman*
Mark S. Robinson, CPA, *Secretary*
Randall S. Davis, CPA, *Member*,

Board Members Not Present:

Robin Kramer, CPA, *Member*
Open Seat, *Public Member*

Staff Members Present:

Neldy Jean-Francois, *Executive Director*
Jim O'Connor, *Board Legal Counsel*
Victoria Fernandes, *Board Staff*
Sonia Jordan, *Board Staff*

Call to Order the meeting was called to order at 10:05AM by Chairwoman Hunter.

Housekeeping and Evacuation Procedures

Executive Director Jean-Francois discussed the emergency evacuation procedures including a specified meeting location outside the building so all may be accounted for in the event of an actual emergency (the location is the Graybar parking lot across the street from the building's entrance). For the enjoyment and comfort of all attending, locations of restrooms and dining facilities were also reviewed.

General Business:

The Board reviewed the May 21, 2015 meeting minutes. Thereafter, a motion was made by Member Davis and seconded by Chairwoman Hunter, the Board voted unanimously to approve the May 21, 2015 minutes.

Regulations Listening Session: 10:00 – 11:00

In accordance with a published advance notice the Board held a public outreach meeting to solicit feedback and suggestions regarding possible revisions to 252 CMR 1.00 - 4.00. The review of the regulations will be conducted pursuant to Executive Order 562, issued by Governor Baker on March 31, 2015.

Interested members of the public did attend and offered comment to the Board on regulations. The Board listened to all members of the public that appeared and the listening session concluded when all who appeared had an opportunity to speak. The Board took all comment under advisement as part of the revision process.

Conditional Licensure Agreement Termination

- Mark Batcheller

The Board reviewed and discussed the conditional licensure agreement in place with Mark Batcheller.

Thereafter, a motion was made by Member Davis and seconded by Secretary Robinson, the Board voted unanimously to allow full licensure with no conditions to Mark Batcheller.

Correspondences:

The Board addressed and reviewed the items of correspondence as publicized in its agenda. The correspondence and the Board's action regarding each are as follows:

Letter dated 5/19/15 from Donald J. Engelman requesting license reinstatement

The Board approved the request for reinstatement. However, the Board also noted that the applicant indicated that they practiced while not licensed. Further discussion was tabled to a closed session.

Letter dated 5/6/15 from Erin Marcotte re: CPE extension

The Board approved the request for an extension to complete the required CPE

New Business:

Open Session for Topics not reasonably anticipated by the Chair 48 hours in advance of meeting:

Letter received with renewal application from John D Ead re: CPE extension

The Board approved a 6 month extension

Letter dated 5/26/15 from Kevin O'Connell re: extension for exam credit

The board discussed the letter and the related rules regarding extensions of exam credit. The Board concluded that it was unable to grant extensions as requested in this letter and consequently voted unanimously to deny the request.

Executive Director Report

- DPL updates

Executive Director Jean-Francois announced to the Board the early retirement decisions of both Vicki Fernandez and Michelina Martignetti effective at the end of June 2015. Vicki Fernandez was present at the meeting. The Board expressed regret at the decisions. Chairwoman Hunter, on behalf of the Board thanked both for their outstanding service to the Commonwealth and wished them luck with their future endeavors.

Executive Director Jean-Francois then updated the Board on staffing plans after June 30, 2015. She indicated a likelihood of needing Board Members to provide additional assistance when possible.

New Cases: *under G.L. c. 112 s. 65C [Closed Session]*

On a motion by Member Davis, seconded by Secretary Robinson, the Board voted unanimously to suspend the open meeting pursuant to G.L. c. 112, § 65C to discuss new complaints, Docket Numbers CA-15-037 [R.A.], CA-15-041 [R.R.], CA-15-042 [S.S.], CA-15-046 [S.S.], CA-15-048 [T.F.] and CA-15-049 [S.B.]

During the closed session, the Board took the following actions:

- CA-15-037 [R.A.]

The Board voted unanimously to send the case to prosecutions.

- CA-15-041 [R.R.]

The Board dismissed the complaint without prejudice.

- CA-15-042 [S.S.]

The Board voted unanimously to send the case to prosecutions.

- CA-15-046 [S.S.]

The Board voted unanimously to send the case to prosecutions with request for a \$500 for each year of violation.

- CA-15-048 [T.F.]

The Board voted unanimously to send the case to prosecutions seeking a revocation.

- CA-15-049 [S.B.]

The Board dismissed the complaint with an advisory letter.

- License application of Donald J Engleman

Further discussion of the reinstatement request was tabled in open session as it indicated a significant period of time of unlicensed practice. The Board requested a complaint be opened regarding the unlicensed practice.

Investigative Conference: *under G.L. c. 112 s. 65C [Closed Session]*

On a motion by Chairwoman Hunter, seconded by Member Davis, the Board voted unanimously to suspend the open meeting pursuant to G.L. c. 112, § 65C to hold an investigative conference, Docket Numbers CA-15-039 (D.C.).

During the closed session, the Board took the following actions:

- CA-15-039 [D.C.] 11:30

The Board voted unanimously to send the case to prosecutions seeking a reprimand and a \$500 fine.

At the close of the investigative conference the Board returned to open session for the sole purpose of conducting a roll call vote to suspend the open meeting pursuant to M.G.L. c. 30A, 21(a)(1), to discuss an issue of Moral Character (D.D.). The Board voted unanimously by roll call to move into Executive Session.

Executive Session: *M. G.L. c. 30A, 21(a)(1) [Closed Session]*

- Moral Character [D.D.] 12:00

The Board, by unanimous, roll call voted to approve the license application.

At the conclusion of the Executive Session, the Board, by unanimous roll call vote to move back to open session.

Application Review Conference

Kendall Peabody 12:20

The Board met with Mr. Peabody and a principal of the Company Mr. Peabody is employed by, Mr. Jenkins. The Board heard from Mr. Jenkins regarding Mr. Peabody's work experience.

At the conclusion of the conference, the Board voted to approve the license application with Secretary Robinson and Member Davis in favor and Chairwoman Hunter opposed.

CPE Audits: *[Closed Session]: under G.L. c. 112 s. 65C*

On a motion by Chairwoman Hunter, seconded by Member Davis, the Board voted unanimously to suspend the open meeting pursuant to G.L. c. 112, § 65C to hold an investigative conference, Docket Numbers CA-15-039 (D.C.).

During the closed session, the Board took the following actions:

- CA-15-007 [M.D.]

The Board voted to dismiss with an advisory letter.

- CA-15-009 [M.H.]

The Board voted to dismiss with an advisory letter.

The Board continued in closed session to hear a case update.

Case Update: *under G.L. c. 112 s. 65C [Closed Session]*

During the closed session, the Board took the following actions:

- CA-14-084 [A.Z.]

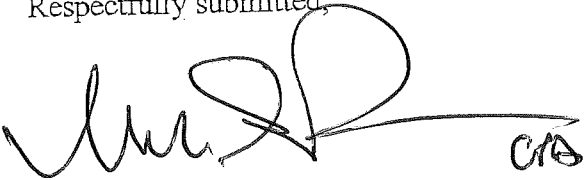
The Board unanimously voted to send to prosecutions for holding out an individual as a CPA.

At the conclusion of the Executive Session, the Board, by unanimous roll call vote to move back to open session.

Adjournment

Chairwoman Hunter obtained assurance from the Board's staff that the day's agenda had been completed, and there being no objections, on a motion by Member Kramer seconded by Secretary Robinson, the Board voted unanimously to adjourn the June 18, 2015 meeting at 1:13PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark S. Robinson', followed by a horizontal line and the initials 'CPA'.

Mark S. Robinson, CPA
Secretary,
Massachusetts Board of Registration of Public Accountancy

List of Documents Used by the Board at the Open Meeting:

Letter dated 5/19/15 from Donald J. Engelman requesting license reinstatement
Letter dated 5/6/15 from Erin Marcotte re: CPE extension

List of Documents Used by the Board at the Open Meeting on topics not reasonably anticipated by the Chair 48 hours in advance of meeting:

Letter received with renewal application from John D Ead re: CPE extension
Letter dated 5/26/15 from Kevin O'Connell re: extension for exam credit

None